

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TYRONE HUNTER, JR.,

Petitioner,

v.

CASE NO. 04-CV-73624-DT
HONORABLE JOHN CORBETT O'MEARA

BRUCE CURTIS,

Respondent.

**ORDER DENYING PETITIONER'S MOTION FOR RECONSIDERATION
AND/OR CORRECTION AND CLARIFICATION OF ORDER**

This matter is before the Court on Petitioner's motion seeking reconsideration of the Court's opinion and order dismissing his habeas petition, which challenged the Michigan Department of Corrections' decision not to award him special good time credits.

A motion for reconsideration which presents issues already ruled upon by the court, either expressly or by reasonable implication, will not be granted. *See Hence v. Smith*, 49 F. Supp. 2d 547, 550 (E.D. Mich. 1999); *Czajkowski v. Tindall & Assoc., P.C.*, 967 F. Supp. 951, 952 (E.D. Mich. 1997). As set forth in the Court's prior opinion, special good time credits are awarded at the discretion of the warden such that a state prisoner does not have a liberty interest in earning or receiving special good time credits under Michigan law. *See Marks v. Dep't. of Corr.*, No. 240510, 2003 WL 22162316, *1 (Mich. Ct. App. Sept. 18, 2003) (unpublished); *Inman v. Michigan Dep't. of Corr.*, No. 02-1143, 52 Fed. Appx. 255, 2002 WL 31770333, *1 (6th Cir. Dec.

9, 2002); *see also Moore v. Hofbauer*, 144 F. Supp. 2d 877, 882-83 (E.D. Mich. 2001). As Petitioner has no protected liberty interest in receiving special good time credits, his challenge to the warden's decision not to grant him such credits is not cognizable in a federal habeas corpus petition. Petitioner has not met his burden of showing a palpable defect by which the Court has been misled or his burden of showing that a different disposition must result from a correction thereof, as required by Local Rule 7.1(g)(3).

Accordingly,

IT IS ORDERED that Petitioner's motion is **DENIED**.

s/John Corbett O'Meara

John Corbett O'Meara
United States District Judge

Dated: September 15, 2005